



# PROPOSED RULE MAKING

**CR-102 (June 2004)**

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making**Agency:** Department of Labor and Industries

- ☒ Preproposal Statement of Inquiry was filed as WSR 07-17-158 ; or  
☐ Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or  
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice  
☐ Supplemental Notice to WSR \_\_\_\_\_  
☐ Continuance of WSR \_\_\_\_\_

**Title of rule and other identifying information:** Chapter 296-20 WAC. This rulemaking proposal will amend several rules to make changes relating to the authority for physician's assistants to sign documents associated with workers' compensation coverage under Title 51 RCW.

**Hearing location(s):** L&I Tumwater building, 7273 Linderson Way, Tumwater, Washington, Room S117

Date: January 10, 2008 Time: 10:00 am

**Submit written comments to:**

Name: Jami Lifka

Address: Dept. of Labor &amp; Industries, PO Box 44321, Olympia, WA 98504-4321

e-mail [lifk235@lni.wa.gov](mailto:lifk235@lni.wa.gov)

fax (360)902-6315 by (date) January 10, 2008

**Assistance for persons with disabilities:** ContactOffice of Information and Assistance by December 31, 2007TTY (360) 902-5797 or (360) 902-4941**Date of intended adoption:** January 22, 2008(Note: This is **NOT** the **effective** date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** HB 1722 (Chapter 263, Laws of 2007) directs the department to accept the signature of a physician assistant on any certificate, card, form or other documentation required by the department. A physician assistant may not rate a worker's permanent partial disability under RCW 51.32.055. The department must amend the physician assistant rules to allow PAs signature on previously unaccepted forms.

The department currently has emergency rules in response to the legislation.

**Reasons supporting proposal:** See above

**Statutory authority for adoption:** HB 1722 (Chapter 263, Laws of 2007), RCW 51.04.020, RCW 51.04.030

**Statute being implemented:** HB 1722 (Chapter 263, Laws of 2007)

**Is rule necessary because of a:**

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

**DATE**

December 4, 2007

**Name:**

Judy Schurke

**SIGNATURE****TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** December 04, 2007**TIME:** 2:58 PM**WSR 07-24-069**

(COMPLETE REVERSE SIDE)

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**Name of proponent:** (person or organization) Dept. of Labor and Industries, 2007 Legislature, Washington  
Academy of Physician Assistants

☐ Private  
☒ Public  
☒ Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Jami Lifka	7273 Linderson Way SW, Tumwater,	360-902-4941
Implementation.... Gary Franklin, MD, MPH	Medical Director	360-902-5020
Enforcement..... Robert Malooly	Assistant Director of Insurance Services	360-902-4209

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone (     ) \_\_\_\_\_

fax     (     ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No. Explain why no statement was prepared.

This rulemaking is exempt under RCW 19.85.025 (3), referring to RCW 34.05.310 (4), namely RCW 34.05310(4) (b), (c), (d) and (e), because it adopts and implements HB 1722 (Chapter 263, Laws of 2007). It also relates only to internal governmental operations that are not subject to violation by a nongovernment party, and per RCW 34.05.328(5)(b)(ii) is exempt from the SBEIS requirement.

**Is a cost-benefit analysis required under RCW 34.05.328?**

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone (     ) \_\_\_\_\_

fax     (     ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No: Please explain: This rulemaking is exempt under RCW 34.05.328 (5) (b) (iii), (iv) and (v) because it adopts and implements HB 1722 (Chapter 263, Laws of 2007). It also relates only to internal governmental operations that are not subject to violation by a nongovernment party, and per RCW 34.05.328(5)(b)(ii) is exempt from the CBA requirement.